

Amendment and Response

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Serial No.: 10/000,057

Confirmation No.: 9505

Filed: November 1, 2001

For: ABRASION RESISTANT COATING FOR STACKS OF FIBER CEMENT SIDING

Remarks

The Office Action mailed August 26, 2004 has been received and reviewed. Claim 17 having been amended, and claims 51 and 52 having been added, the pending claims are claims 17-19, 21, and 31-52. Reconsideration and withdrawal of the rejections are respectfully requested.

Support for the new claims is in the originally filed claims and specification, for example, at page 5, lines 7-20 and page 10, lines 8-11. No new matter has been added.

Interview Summary Record

Applicants' Representative Ann Muetting thanks the Examiner for the courtesy the Examiner extended in a phone interview conducted on November 24, 2004, wherein the amendments presented herein were discussed.

The 35 U.S.C. §103 Rejection

The Examiner rejected claims 17-18, 31-32, 42-48, and 49-50 under 35 U.S.C. §103(a) as being unpatentable over Blum (U.S. Patent No. 5,344,873) in view of Kubota Corp. (Patent Abstracts of Japan Publication No. 07-324432), and vice versa. Claims 33-41 were rejected as being unpatentable over Blum in view of Kubota Corp., and vice versa, as applied to claims 17-18, 31-32, 42-45, and 49-50, and further in view of Takahashi (U.S. Patent No. 6,103,352). Claims 19 and 21 were rejected as being unpatentable over Blum in view of Kubota Corp., or vice versa, and further in view of Takahashi as applied to claims 33-41, and further in view of Harper et al. (U.S. Patent No. 4,637,860). These rejections are respectfully traversed.

There is no teaching or suggestion in the art of record of a method of making a fiberboard cement siding product that includes: providing a fiberboard cement substrate layer; coating a first major surface of the fiberboard cement substrate with a sealer; coating the exposed surface of the sealer with a primer; coating the exposed surface of the primer with a decorative coating; coating the exposed surface of the decorative coating with a topcoat layer comprising a polyurethane dispersion; and curing the topcoat layer to provide a mar and abrasion resistant

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coated fiberboard cement siding product; wherein the curing step comprises a thermal curing process that does not expose the siding to a board surface temperature in excess of 100 °C (claim 1), particularly when the method includes stacking a first coated fiberboard cement siding product against a second coated fiberboard cement siding product (claim 51).

Furthermore, there is no teaching or suggestion in the art of record of a method of making a stack of fiberboard cement siding products that includes preparing two or more coated fiberboard cement siding products and stacking the two or more coated fiberboard cement siding products to form a stack; wherein the method of preparing two or more coated fiberboard cement siding products includes: providing a fiberboard cement substrate layer; optionally applying a first major surface of the fiberboard cement substrate with one or more layers comprising a sealer, a primer, or both; applying one or more layers of a decorative coating to the outermost surface of the optionally coated fiberboard cement substrate layer; coating the exposed surface of the one or more layers of a decorative coating with a topcoat layer comprising a polyurethane dispersion; curing the topcoat layer to provide a mar and abrasion resistant coated fiberboard cement siding product; wherein the curing step comprises a thermal curing process that does not expose the siding to a board surface temperature in excess of 100 °C.

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Summary

It is respectfully submitted that the pending claims 17-19, 21, and 31-52 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of Nov, 2004, at 1:40 pm (Central Time).

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November 24, 2004
Date

DLP/SJT

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